

MEDICAL REGISTRATION ORDINANCE (Chapter 161)

ORDER MADE BY THE MEDICAL COUNCIL OF HONG KONG

It is hereby notified that the Medical Council of Hong Kong after due inquiry held on 20 August 2009, 27 November 2009 and 27 January 2010 in accordance with section 21 of the Medical Registration Ordinance, Chapter 161 of the Laws of Hong Kong, was satisfied that Dr. LEE York Fai, being a registered medical practitioner, disregarded his professional responsibility to his patient Madam KAN Che Ching ('the patient') in the following respects:—

- (a) he issued a Certificate of Attendance dated 18 March 2004 in respect of the patient which was untrue, misleading or otherwise improper in that he certified that the patient was alert, orientated to time, place and persons, and mentally sound and normal without proper clinical basis, and/or without taking proper or appropriate steps to verify the assessments;
- (b) he issued a Certificate of Attendance dated 24 March 2004 in respect of the patient which was untrue, misleading or otherwise improper in that he certified that the patient was mentally alert and orientated, and was not a mentally incapacitated person within the definition of section 2 of the Mental Health Ordinance, Chapter 136 without proper clinical basis and/or without taking proper or appropriate steps to verify the assessments.

The Council was satisfied that in relation to the facts alleged, Dr. LEE has been guilty of misconduct in a professional respect.

In accordance with section 21(1)(ii) of the said Ordinance, the Council ordered on 27 January 2010 that:—

- (a) in respect of charge (a), the name of Dr. LEE York Fai be removed from the General Register for a period of one year;
- (b) in respect of charge (b), the name of Dr. LEE York Fai be removed from the General Register for a period of one year;
- (c) the removal orders shall be served concurrently.

In accordance with section 21(5) of the said Ordinance, the above orders shall be published in The Government of the Hong Kong Special Administrative Region Gazette.

Felice LIEH-MAK *Chairman, The Medical Council of Hong Kong*